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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,661	01/21/2004	William Gabriel Pagan	RPS920030209US1	3392
25299	7590	01/03/2007	EXAMINER	
IBM CORPORATION PO BOX 12195 DEPT YXSA, BLDG 002 RESEARCH TRIANGLE PARK, NC 27709			REGO, DOMINIC E	
			ART UNIT	PAPER NUMBER
			2618	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	01/03/2007	PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/761,661	PAGAN, WILLIAM GABRIEL
	Examiner Dominic E. Rego	Art Unit 2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 24 January 2004.

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-16 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-16 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date 01/21/2004.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application  
 6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1,2,7-10,15, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Kazuo (Japanese Publication #11-013564).

**Regarding claim 1**, Kazuo teaches a wireless phone (*Figure 1, element 10*) comprising:

a first component (*Figure 1, element 11*);

a second component permanently hinged to the first component (*Figure 1, a second component 12 permanently hinged to the first component 11*);

a keypad in the first component, the keypad allowing entry of a telephone number to be called to connect to a computer network (*Paragraphs 0010 and 0016*); and

a connector in the second component, the connector in the second component being adapted to be directly physically inserted into an existing interface port in a computer (*Figure 1, a connector 12 in the second component, the connector in the second component being adapted to be directly physically inserted into an existing interface port 13a in a computer 13; Paragraphs 0010-0017*).

**Regarding claims 2 and 10**, Kazuo teaches the wireless phone, wherein the second component is configured as a PC Card (paragraph 0010).

**Regarding claims 7 and 15**, Kazuo teaches the wireless phone, wherein a signal from the existing interface port of the computer and the connector in the second

component of the wireless phone is a modulated signal (*Figure 1, Kazuo teaches the wireless phone 10, wherein a signal from the existing interface port 13a of the computer 13 and the connector 12 in the second component of the wireless phone 10 is a modulated signal*).

**Regarding claims 8 and 16**, Kazuo teaches the wireless phone, wherein a signal from the existing interface port of the computer and the connector in the second component of the wireless phone is a data packet (Paragraph 0018).

**Regarding claim 9**, Kazuo teaches a system comprising:  
a wireless phone (*Figure 1, element 10*) comprising:  
a first component (*Figure 1, element 11*),  
a second component permanently hinged to the first component (*Figure 1, a second component 12 permanently hinged to the first component 11*),

a keypad in the first component, the keypad allowing entry of a telephone number to be called to connect to a computer network, and a connector in the second component (*Paragraphs 0010 and 0016*); and

a computer comprising:  
an interface port capable of connecting with the connector in the second component of the wireless phone, wherein the connector in the second component is directly physically inserted into the interface port in a computer to provide a wireless connection to a network (*Figure 1, a connector 12 in the second component, the connector in the second component being adapted to be directly physically inserted into*

*an existing interface port 13a in a computer 13; Paragraphs 0010-0017).*

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 3-5 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kazuo (Japanese Publication #11-013564) in view of Ohnishi et al. (US Patent #6,525,932).

**Regarding claim 3-5, and 11-13,** Kazuo fails to teach the wireless phone, wherein the PC Cards are a Type I, II, and III card.

However, in related art, Ohnishi teaches the wireless phone, wherein the PC Cards are a Type I, II, and III card (Col 1, lines 46-58; Col 2, lines 28-35).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the teaching of the wireless phone, wherein the PC Cards are a Type I, II, and III card, as taught by Ohnishi, in the Kazuo device in order to use any type of present and future mobile device without any difficulty.

4. Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kazuo (Japanese Publication #11-013564) in view of Jaggers et al. (US Patent Application Publication #2002/0119800).

**Regarding claim 6**, Kazuo fails to teach the wireless phone, wherein the connector is a USB plug.

However, in related art, Jaggers teaches the wireless phone, wherein the connector is a USB plug (*Paragraph 0027: Jaggers teaches data signals are transmitted from the dock to wireless communication device 105 through USB connector 184*).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to use the teaching of the wireless phone, wherein the connector is a USB plug, as taught by Jaggers, in the Kazuo device in order to transfer data to other units.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Silvester (US Patent Application Publication #20050064893) teaches upgrading cellular telephone.

Tom (US Patent #6,690,947) teaches methods and apparatus for a flexible wireless communication and cellular telephone system.

Ikeda et al. (US Patent Application Publication #2005/0059391) teaches wireless LAN terminal device, portable data terminal system, mobile phone, wireless LAN communication method, method for providing service, and method for transferring incoming call.

Martin (US Patent Application Publication #2002/0078288) teaches PC adapter card with an interchangeable connector set.

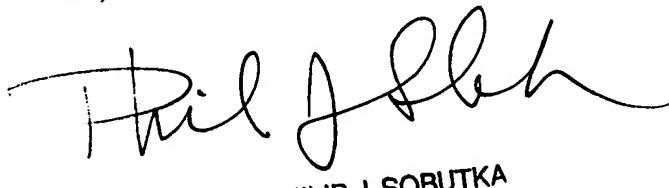
Miyashita (US Patent #6,244,894) teaches cellular phone battery equipped with IC card.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dominic E. Rego whose telephone number is 571-272-8132. The examiner can normally be reached on Monday-Friday, 8:30 am-5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Dominic Rego

  
PHILIP J. SOBUTKA  
PATENT EXAMINER